

back of the time, the Senate votes on the bill with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, once again, I object to the Senator's request for reasons I have previously stated. But in addition, on Tuesday night, Secretary of Defense Austin released a statement stating that he had received the Independent Review Commission's recommendations and that the administration will work with Congress to remove the prosecution of sexual assault and related crimes from the military chain of command, a recommendation I agree with. I made that clear for weeks now.

And this statement makes it clear that the argument before us is not about removing sexual assault or crimes connected to sexual misconduct from the chain of command. The argument is about removing felonies like barracks larceny, destruction of government property of a significant value, and crimes that have been handled by the military chain of command effectively for years and years and years.

In addition, Secretary Austin notably praised the comprehensive nature of the IRC's assessment across all four lines of effort, not just military justice reforms, but, as importantly, prevention, climate and culture, and victim care.

The necessity to approach this issue in a holistic and comprehensive manner is vitally important if we want to actually reduce the incidence of sexual assault in the ranks. We would be naive to believe we can simply prosecute ourselves out of this problem. That isn't how this will work.

Accountability is important, but it must be part of a larger reform, and I hope we can all agree that it is far preferable to prevent a sexual assault than simply to prosecute one.

Finally, I want to highlight Secretary Austin's statement that the Department will need new resources and authorities to implement these recommendations. It must work with Congress to secure additional authorities and relief where needed, as well as additional personnel, funding, and sufficient time to implement them.

And so, as I have said a number of times already, I intend to include the administration's recommendations that derive from the President's Independent Review Commission in the markup of the defense bill, subject to amendment.

Colleagues who have dedicated themselves for many years to issues of national defense and are knowledgeable of the UCMJ will have an opportunity to make amendments, to make suggestions, to debate this bill in detail, and then the result will be reported to the floor of the Senate, and all Senators will have such an opportunity. That is

what we have done traditionally, particularly when it comes to significant changes in the Uniform Code of Military Justice.

And with that, I would reiterate my objection to the Senator from New York's request.

The PRESIDING OFFICER. Objection is heard.

Mrs. GILLIBRAND. Mr. President, I also commend General Austin on his recommendations. He is the first Secretary of Defense in the last 10 years—in the last real 100 years—that has said that sexual assault and related crimes should be taken out of the chain of command, of which I agree completely. He has also acknowledged that it is not necessary for good order and discipline or command control that the convening authority be the commander. The convening authority can be the prosecutor, which is our bill.

The reason why we advocate for a bright line is that while sexual assaults are handled poorly within the military, so are other crimes when it comes to racial disparity. We have evidence that has been detailed and reported by the Department of Defense that if you are a Black servicemember, you are up to 2.61 times more likely to be prosecuted or punished for crimes due to racial bias within the military justice system.

So if we want a military justice system that is fair for everyone, both plaintiffs and defendants, we need a bright line around all serious crimes. I believe that if you allow trained military prosecutors the ability to review the case files for all serious crimes, more cases of sexual assaults will go forward and end in conviction, and then the bias that is seen in other cases will also be reduced.

So for the chairman to say that there is no evidence that the command hasn't been doing a good job in other crimes, I would say that is not true. There is a great deal of evidence that there is racial bias in how our military justice system is used at the detriment to Black and Brown servicemembers.

Second, I would like to say that the commission's recommendations are expansive and excellent, and we look forward to receiving those recommendations. Those recommendations may well require additional personnel and additional resources because they are across many lines, not just about prosecution.

My bill, the Military Justice Improvement and Prevention Act, does not require more resources or more personnel because it is literally creating a bright line of felonies, and while those prosecutors are normally prosecuting those cases, the only change is they get to see the case file first. They get to make a judgment about whether there is enough evidence, and if there is not, it goes right back to the commander where it was.

So I agree that General Austin's statements are important and meaningful. I agree that the commission's

work is excellent, and I look forward to supporting them and turning them into law. But I disagree strongly that the broader reform of a bright line around felonies isn't needed because it is, and it shows in the prosecution of sexual assaults, and it shows in the racial disparity of convictions and prosecutions and nonjudicial punishment for Black servicemembers.

With that, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Republican leader is recognized.

PUBLIC SAFETY

Mr. McCONNELL. Mr. President, yesterday, President Biden announced that his administration would attempt to combat the alarming rise of violent crime unfolding in cities across our country by making it harder for law-abiding Americans to exercise their constitutional right to keep and bear arms. And today our colleagues on the Judiciary Committee voted on the nomination of a person the President intends to lead the effort. David Chipman was tapped to be Director of the Bureau of Alcohol, Tobacco, Firearms and Explosives.

If he is confirmed, this nominee would bring to the job a dangerous and unprecedented hostility to the Second Amendment. We know it from his record as an anti-gun extremist, and we know it from the reputation he earned among ATF veterans as an "activist" and "a rabid partisan."

It should go without saying that these are exactly the wrong motivations to encourage at the helm of the Agency charged with firearms enforcement. Then again, it should also go without saying that responsible gun owners don't cause surges in violent crime; they actually prevent them.

Unfortunately, Democrats' latest bout of cognitive dissonance on crime didn't begin just this week. Let's consider what has unfolded over the past year. Last summer, across America, peaceful protests were overtaken by lawless rioters. For nights on end, violence and looting left cities in flames, and in too many State capitals and city halls, local officials froze under pressure from the left and failed to protect their citizens, their homes, and their businesses.

In fact, at every level of government, elected Democrats instead rapidly embraced radical calls to "defund the police." To the tune of hundreds of millions of dollars, they succeeded in gutting local law enforcement budgets and